

12/27/17
(Special Meeting)

L-258-17 1st

RESOLUTION NO. 258-17

BY: **JEFFREY CROSSMAN**

A RESOLUTION OBJECTING TO THE APPLICATION FOR
ISSUANCE OF A NEW "D2" LIQUOR PERMIT BY THE
DEPARTMENT OF LIQUOR CONTROL TO LITTLE BIRDIE
WINE NEST LLC LOCATED AT 6060 BROADVIEW ROAD IN
THE CITY OF PARMA, AND DECLARING AN EMERGENCY

WHEREAS, a notification dated December 8, 2017, presently before the Ohio Division of Liquor Control, relative to the issuing of a new "D2" liquor permit for Little Birdie Wine Nest LLC, located at 6060 Broadview Road, Parma, Ohio, 44134, has been received by this Council; and,

WHEREAS, notification must be received by the Ohio Division of Liquor Control, relative to the objection of issuing of a "D2" liquor permit; and,

WHEREAS, this Council, pursuant to Ohio Revised Code Section 4303.292, objects to the issuance of said permit for the reason that the business does not meet the criteria required to be issued a "D2" permit as provided in O.R.C. Chapter 4303.14. Said business owner is not an owner or operator of a hotel, of a retail food establishment or a food service operation licensed pursuant to Chapter 3717 of the Revised Code, that operates as a restaurant for purposes of that Chapter or of a club, boat, or vessel, to sell wine and prepared and bottled cocktails, cordials, and other mixed beverages manufactured and distributed by holders of A-4 and B-4 permits at retail, either in glass or container, for consumption on the premises where sold.;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That this Council of the City of Parma hereby objects to the issuance of "D2" liquor permit by the Department of Liquor Control to Little Birdie Wine Nest, 6060 Broadview Road, Parma, Ohio, 44134, and hereby requests that a public hearing thereon be held by the Department of Liquor Control in Cuyahoga County.

Section 2. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to the Ohio Department of Liquor Control.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this Resolution must be postmarked and submitted to the Division of Liquor Control no later than January 8, 2018, and this Resolution shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:_____	_____
	PRESIDENT OF COUNCIL
ATTEST:_____	APPROVED:_____
CLERK OF COUNCIL	
FILED WITH THE MAYOR:_____	_____
	MAYOR, CITY OF PARMA, OHIO